



The Democratic Republic of Congo: Background and Current Developments

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Summary

In October 2008, the forces of the National Congress for the Defense of the Congolese People (CNDP), under the command of General Laurent Nkunda, launched a major offensive against the Democratic Republic of Congo Armed Forces (FARDC) in eastern Congo. Within days, the CNDP captured a number of small towns and Congolese forces retreated in large numbers.

Eastern Congo has been in a state of chaos for over a decade. The first rebellion to oust the late President Mobutu Sese Seko began in the city of Goma in the mid-1990s. The second rebellion in the late 1990s began also in eastern Congo. The root causes of the current crisis are the presence of over a dozen militia and extremist groups, both foreign and Congolese, in eastern Congo, and the failure to fully implement peace agreements signed by the parties. Over the past 14 years, the former Rwandese armed forces and the Interhamwe militia have been given a safe haven in eastern Congo and have carried out many attacks inside Rwanda and against Congolese civilians. A Ugandan rebel group, the Lord's Resistance Army (LRA), is also in Congo, despite an agreement reached between the LRA and the Government of Uganda.

In November 2008, United Nations Secretary General Ban Ki-Moon appointed former Nigerian President Olusegun Obasanjo as his envoy to help broker a peace agreement to end the crisis in eastern Congo. Since his appointment, Obasanjo has met with Congolese President Joseph Kabila, General Nkunda, Rwandan President Paul Kagame, and other officials in the region. The parties have agreed to participate in a U.N.-led peace initiative. The current crisis in eastern Congo has displaced more than 250,000 civilians.

In late 2008, the governments of Rwanda and Congo agreed on a wide range of issues. The two governments agreed to launch a joint military offensive against the National Congress for the Defense of the Congolese People (CNDP) and the Democratic Forces for the Liberation of Rwanda (FDLR). They also agreed to restore full diplomatic relations and to activate economic cooperation. In January 2009, Rwanda and Congo launched the joint military operation in eastern Congo. In late February Rwandese forces pulled out of Congo as part of an agreement reached with Congo.

The United States has been actively engaged in facilitating the Tripartite Plus talks among the four key players in the Great Lakes region: Rwanda, DRC, Burundi, and Uganda. The Tripartite Plus process has led to a number of agreements over the past several years, including the creation of a Joint Verification Mechanism (JVM) to address cross-border issues. The Bush Administration provided an estimated \$205.1 million in FY2008, and an estimated \$199.7 million for FY2009. The Obama Administration has requested \$177 million for FY2010.

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Recent Developments

In December 2009, the United Nations Security Council extended the mandate of the U.N. Organization Mission in DRC (MONUC) until May 2010, a six-month extension. The U.N. Secretary General was requested to conduct strategic review about conditions on the ground. Security Council resolution 1906 stated that “the linkage between the illicit exploitation and trade of natural resources and the proliferation and trafficking of arms is one of the major factors fuelling and exacerbating conflicts in the Great Lakes region, particularly in the Democratic Republic of Congo.” The resolution also called for the protection of civilians and for MONUC to use all necessary means to carry out its mandate.

In January 2010, the United Nations High Commissioner for Refugees (UNHCR) said that it was providing assistance to over 100,000 civilians from eastern Congo. United Nations officials report that an estimated 2 million people are displaced throughout the Democratic Republic of Congo.

In August 2009, Secretary of State Hillary Clinton visited Kinshasa and Goma in eastern Congo. At a press conference with Foreign Minister Alexis Thambwe, Secretary Clinton stated that “the DRC, its government, and the people face many serious challenges, from the lack of investment and development to the problem of corruption and difficulties with governance to the horrible sexual and gender-based violence visited upon the women and children in the country.” The Secretary assured the Minister that the United States will help the DRC government address these challenges.

Humanitarian conditions in eastern Congo remained serious, according to United Nations officials. In a September 2009 report to the United Nations Security Council, Secretary General Ban Ki-Moon stated that the “humanitarian situation remained precarious during the reporting period due to large-scale population displacements, human rights violations by armed men, including rapes, killings and lootings; impeded humanitarian access; and security incidents against humanitarian workers.” An estimated 1.7 million people are displaced in the Kivus (see **Figure 1** for a map of the DRC).

In late 2008, the governments of Rwanda and Congo agreed on a wide range of issues. The two governments agreed to launch a joint military offensive against the National Congress for the Defense of the Congolese People (CNDP) and the FDLR. They also agreed to restore full diplomatic relations and to activate economic cooperation. In January 2009, Rwanda and Congo launched the joint military operation in eastern Congo. The military operation dislodged and seriously weakened the CNDP forces. In January, the leader of the CNDP, General Laurent Nkunda, was arrested inside Rwanda, after he fled eastern Congo. The FDLR forces were also dislodged from their stronghold in north Kivu and forced to retreat. More than 2,000 Rwandese refugees returned home in January–February, as well as some FDLR militia members.

In late February 2009, Rwandese troops pulled out of Congo as part of the agreement with the Kabila government. The DRC government has requested the extradition of General Nkunda. Nkunda remained under arrest in Rwanda as of early May 2009. In May 2009, the DRC Parliament passed a bill granting amnesty to militias, although the bill excludes amnesty for those accused of war crimes like General Nkunda. Meanwhile, remnants of the FDLR continue to target

Congolese civilians. In late April 2009, United Nations officials accused the FDLR of committing serious atrocities against civilians in Luofu, a town north of Goma.

According to the June 2009 U.N. Secretary General report, “the overall situation in the Democratic Republic of Congo continued to pose many challenges. In eastern part of the country, despite an improved political environment and expanded State presence, the security situation remained very volatile and the humanitarian situation deteriorated.” Foreign armed groups continue to terrorize the civilian population in DRC. More than 1,000 women are raped each month in eastern Congo, according to U.N. officials and international observers.

Rwanda, CNDP, and General Nkunda

Nkunda still remains under arrest in Rwanda as of mid-March 2009. Congolese forces continue to go after the remaining CNDP and FDLR forces. As part of an earlier agreement, those CNDP forces willing to joint the Congolese army are being integrated. Rwanda is also welcoming FDLR forces willing to return home.

In October 2008, the CNDP, under the command of General Nkunda, launched a major offensive against the Democratic Republic of Congo Armed Forces (FARDC) in eastern Congo. Within days, the CNDP captured a number of small towns, and Congolese forces retreated in large numbers. The U.N. Mission in Congo (MONUC) also withdrew from some areas and pulled most of its forces into Goma. In late October, General Nkunda declared a unilateral cease-fire and ordered his forces to remain outside Goma. The cease-fire was violated in subsequent weeks by both sides, although fighting did not spread to other parts of Congo. On November 19, 2008, the CNDP withdrew from two areas in eastern Congo in order to create humanitarian corridors.

The DRC government initially accused Rwanda of supporting General Nkunda, although a few days later in a meeting in Rwanda, Congolese officials did not bring this issue up with senior Rwandese officials. Rwanda has consistently argued that its forces, while deployed along the Rwanda-DRC border, have not crossed into Congolese territory, a position supported by U.S. and United Nations officials.¹ Congolese officials, however, argue that Rwandese soldiers were captured inside Congo.² Congolese officials have provided photographs of alleged Rwandan soldiers to foreign governments in November 2008. In late October, at the height of the crisis, the Congolese Foreign Minister, Alexis Thambwe Mwamba, paid a visit to Kigali and met with President Paul Kagame and other Rwandese leaders. At that meeting, the minister did not raise the issue of Rwanda’s alleged involvement in support of Nkunda.³ A few days later, the Rwandese Foreign Minister, Rosemary K. Museminari, visited Kinshasa and met with Congolese officials as well as other foreign leaders.

In subsequent weeks, a number of foreign officials visited the Great Lakes region in an effort to find a peaceful solution to the crisis in eastern Congo. Then U.S. Assistant Secretary of State for African Affairs Jendayi Frazer met with the leadership of Congo and Rwanda in November. The foreign ministers of France and Britain visited Congo in early November in an effort to broker a peace agreement. United Nations Secretary General Ban Ki-Moon went to Kenya in early

1 CRS interview with MONUC, Rwandese, and U.S. officials in August and November 2008.

2 CRS interview with Congolese ambassador to the United States, November 19, 2008.

3 CRS interview in late October 2008 with a senior Rwandese official in Kigali by phone.

November to take part in a regional summit on the crisis in eastern Congo. Several heads of state participated in the Kenya meeting, including Presidents Kabila and Kagame. General Nkunda was not invited to participate in the Kenyan meeting. The meeting in Kenya did not secure an agreement.

In November 2008, Secretary General Ban Ki-Moon appointed former Nigerian President Olusegun Obasanjo as his envoy to help broker a peace agreement to end the crisis in eastern Congo. The appointment of Obasanjo was welcomed by regional leaders. President Kagame told reporters that Obasanjo is the “right person” to help secure a peace agreement to resolve the crisis in eastern Congo. Since his appointment, Obasanjo has met with President Kabila, General Nkunda, President Kagame, and other officials in the region. He secured an agreement from President Kabila and General Nkunda to take part in U.N.-led peace talks. President Kabila had previously rejected direct talks with Nkunda.

The Role of MONUC in the Current Crisis

The United Nations has been actively engaged in mediation efforts, although MONUC has come under criticism for failing to carry out its mandate to protect civilians.⁴ Congolese sources and foreign observers have reported that MONUC forces did not provide sufficient protection to civilians, who have been the primary target of government forces and militia groups. MONUC has a robust U.N. Security Council-authorized mandate to protect civilians under eminent physical threat. United Nations officials argue that MONUC has done what it could under difficult circumstances and that Congo is a large territory to effectively manage. These officials contend that it is the primary responsibility of the Kabila government to protect its citizens, over 250,000 of whom were displaced as a result of the military clashes in eastern Congo. According to United Nations officials, abuses by government forces and militia groups have been carried out against civilians. There is no reliable estimate of the number of people killed since the current crisis erupted.

The Failure of the Congolese Army

The Congolese army has not been able to contain rebel force advances or provide protection to the civilian population. At the height of the crisis, the Congolese army simply retreated and later engaged in looting and attacking civilians, according to United Nations officials and press reports. United Nations officials and longtime Congo observers argue that the Congolese army was ignored and abandoned by the central government in Kinshasa. According to U.N. and Congolese officials, the central government often failed to provide necessary support or pay the salary of the Congolese army in eastern Congo. Moreover, the military leadership is weak, according to many observers in the region. The fact that the Congolese army did not exist in its current structure until recently also contributed to the problem within the armed forces in recent years. A number of the units in the Congolese army are forces integrated from rebel forces. In November 2008, President Kabila ousted his military chief of staff and named General Didier Etumba Longomba as his new military chief. Donor governments have provided funding to train Congolese forces and local police. MONUC has also provided support and protection to Congolese forces over the years. General Nkunda has criticized MONUC’s cooperation with the Congolese forces on a number of occasions.

⁴ Tom Maliti, “African Leaders Chide Peacekeepers,” Chicago Tribune, November 9, 2008.

Root Causes

At the core of the crisis in eastern Congo is the presence of over a dozen militia and extremist groups, both foreign and Congolese, and the failure to fully implement peace agreements signed by the parties. Over the past 14 years, the former Rwandese armed forces and the Interhamwe have been given a safe haven in eastern Congo and have carried out many attacks inside Rwanda and against Congolese civilians. These well-armed forces are now known as the Democratic Forces for the Liberation of Rwanda (FDLR). Analysts estimate their number between 6,000 and 8,000, now led by the most extremist leaders of the FDLR. The FDLR reportedly receives assistance from Congolese forces and often coordinates military operations with the Congolese army, according to United Nations and Rwandan officials.

The FDLR also receives assistance and guidance from Rwandese in Europe and the United States. The Government of Rwanda submitted a list of FDLR, Interhamwe and other militia leaders in early 2008 to U.S. and other government officials. On November 4, 2008, German authorities released the Secretary General of the FDLR, Callixte Mbarushimana, who was arrested in Frankfurt in July 2008. The State Department criticized the release of the FDLR official and blamed the group as the “root cause of instability in eastern Congo.”⁵ A week after the release of the FDLR official, German authorities arrested a senior Rwandese government official, Rose Kibuye. Rose Kibuye is a senior Rwandan government official, a liberation fighter with the Rwandan Patriotic Front (RPF), the group that ended the 1994 genocide, and served in different government positions over the past decade, including as Mayor of Kigali and Personal Secretary of President Kagame. The Government of Rwanda condemned her arrest and later expelled the German ambassador to Rwanda. German authorities did not detain Kabuye in April 2008 when she traveled with President Kagame to Germany because of diplomatic immunity. Rwandan officials contend that Kibuye went to Germany as an advance team member to prepare for President Kagame’s visit to Germany. She traveled on her diplomatic passport and the German embassy in Rwanda was informed about the purpose of her visit to Germany. On November 19, Kibuye was transferred to France to stand trial.

In addition to the FDLR and other negative forces in DRC, the forces and leadership of the Lord’s Resistance Movement (LRA), a Ugandan rebel movement, are also in DRC, even though the LRA agreed to a peace agreement mediated by the Government of South Sudan. Moreover, there are over a dozen militia groups active in eastern Congo, some of which support and coordinate their actions with the Congolese government.

Background: The Crisis in DRC

The Democratic Republic of Congo (DRC), formerly Zaire, has been in political turmoil for years. In May 1997, the Alliance of the Democratic Forces for the Liberation of Congo-Zaire (AFDL), with the support of Rwanda and Uganda, marched into Kinshasa and ousted longtime dictator Mobutu Sese Seko. Within one year, tensions between President Laurent Kabila and his Rwandan and Ugandan allies began to mount. By August 1998, open conflict erupted between Kabila and Congolese forces supported by Rwanda. Angola, Namibia, and Zimbabwe joined the fighting in support of Kabila.

⁵ State Department Press Release, November 13, 2008.

DRC at a Glance

- **Population:** 68.6 million
- **Independence:** 1960 from Belgium
- **Area:** Slightly less than one-fourth the size of the United States
- **Ethnicity:** Over 200 ethnic groups, majority Bantu
- **Religions:** 50% Catholic, 20% Protestant, 10% Kimbanguist (Syncretic), 10% Muslim, 10% other/indigenous
- **Languages:** French (official)
- **GDP (purchasing power parity):** \$21 billion
- **GDP per capita:** \$300 (2008)

CIA World Factbook, 2009

In July 1999, at a summit in Lusaka, Zambia, the leaders of Uganda, Rwanda, Congo, Zimbabwe, Namibia, and Angola signed a peace agreement. The agreement called for a cease-fire within 24 hours of the signing of the agreement. Nonetheless, both sides to the conflict consistently violated the cease-fire agreement. The Lusaka Accords established a joint military commission (JMC) to investigate cease-fire violations and to disarm militia groups. The withdrawal of foreign forces from Congo was one of the key elements of the Lusaka Accords. The Accords also called for political dialogue among Congolese political and armed groups to settle their differences peacefully and to map out a new political chapter for Congo. The former President of Botswana, Sir Ketumile Masire, was appointed to facilitate the talks. The Accords called for the deployment of U.N. military observers.

MONUC: Overview

MONUC Status of Forces and Mandate

In August 1999, the United Nations Security Council authorized the deployment of 90 United Nations military liaison personnel to the DRC. In November 1999, Security Council Resolution 1279 affirmed that the previously authorized United Nations personnel would constitute the United Nations Organization Mission in the DRC (MONUC). The operation is authorized under Chapter VII of the United Nations Charter, which allows peacekeepers to use force, if necessary, to carry out their mandate. As of May 31, 2009, MONUC had 18,381 total uniformed personnel, including 16,626 troops, 681 military observers, 1,074 police, 969 international civilian personnel, 2,154 local civilian staff and 606 United Nations Volunteers.⁶ MONUC is currently the largest U.N. peacekeeping operation in the world. In late November 2008, the United Nations agreed to send an additional 3,000 peacekeeping troops to DRC.

Over the past eight years, the Security Council passed a number of resolutions to strengthen MONUC's force and its mandate. Resolution 1291, passed in 2000, authorized MONUC to carry

⁶ MONUC Mission website available at <http://www.un.org/Depts/dpko/missions/monuc/>

out a number of important tasks, including implementation of the cease-fire agreement, verification of disengagement and redeployment of forces, and support for humanitarian work and human rights monitoring. The resolution provided MONUC the mandate, under Chapter VII, to protect its personnel, facilities, and civilians under eminent threat of physical violence. Resolution 1565, adopted in 2004, increased MONUC personnel, with a primary objective of MONUC deployment to eastern Congo to ensure civilian protection and seize or collect arms, as called for in U.N. resolution 1493. The resolution also authorized MONUC to temporarily provide protection to the National Unity Government institutions and government officials. Resolution 1493 authorized MONUC to assist the DRC government to disarm foreign combatants and repatriate them to their home countries. The resolution, under Chapter VII, authorized MONUC to use “all means necessary” to carry out its mandate.⁷

MONUC: Human Rights Concerns

MONUC’s record has been marred by persistent allegations that it has not been able to halt gross human rights violations of civilians by local groups in the Ituri and Kivu regions and charges of incompetence since its deployment in 1999. In late February 2005, nine Bangladeshi peacekeepers were killed by militia members in the Ituri region. Then-U.N. Secretary General Kofi Annan condemned the killings and called on the Transitional Government to “hold accountable those responsible for this reprehensible and criminal attack.” The United Nations has increased the number of troops to help bring stability and security, especially in the Kivus and Ituri regions.

MONUC also was the focus of allegations of sexual exploitation and abuse of women and children. In December 2004, in his report to the Security Council, then-Secretary General Annan stated that “between June and September 2004, an Office of Internal Oversight Services investigation into sexual misconduct in Bunia revealed that 8 of some 72 allegations could be corroborated.” The report revealed that the majority of these allegations involved “soliciting the services of prostitutes.” This kind of behavior by U.N. peacekeeping troops, the report contends, is a violation of the United Nations “Code of Conduct” for peacekeeping troops.

In November 2004, a team from the United Nations Department of Peacekeeping Operations was sent to investigate allegations of sexual exploitation by several United Nations civilian personnel in other parts of DRC. Another U.N. team was sent to DRC to investigate allegations against MONUC personnel. In January 2005, a report by the United Nations Office of Internal Oversight Services (OIOS) issued its findings about sexual exploitation and abuse by MONUC personnel in DRC. The OIOS made a number of recommendations, which it claimed have been accepted by the United Nations Department of Peacekeeping Operations. Still, between January and September 2008, 23 sexual exploitation and abuse allegations were made against MONUC personnel.

Political Developments

Some progress has been made over the past several years in moving the DRC from political instability and civil war to relative stability and democratic rule, although eastern Congo remains

⁷ <http://www.monuc.org>

a region marred by civil strife. The international community has been actively engaged in support of the transitional process and the elections. On July 30, 2006, the DRC held its first presidential and parliamentary multi-party elections in almost four decades. Regional, local, and international observers monitored the elections. More than 19 million Congolese were registered to vote in the 2006 elections, including 2.9 million in Kinshasa, the capital.

In the presidential elections, there were 33 presidential candidates, while an estimated 9,707 candidates ran for the 500-seat parliament. There were an estimated 50,000 polling stations for the 25.6 million registered eligible voters. According to Congolese and international observers, the elections were largely peaceful and well managed, considering the logistical and other challenges, although post-election conditions were not properly managed in some areas.⁸ In parliament, no party emerged with a majority, while none of the candidates in the presidential elections secured the necessary 50% of the vote. In October 2006, President Joseph Kabila defeated Jean-Pierre Bemba in the second round of presidential elections. On December 6, 2006, President Kabila was sworn in as president.

The DRC faces serious challenges, despite progress in some areas and relative stability in most regions of the country. Relations between the DRC and its neighbors have improved over the past two years, largely due to facilitation by the United States of the Tripartite Plus process, a policy initiative aimed at regional stability and cooperation. The four key regional participants in the process are DRC, Uganda, Rwanda, and Burundi. Despite progress in regional security, insecurity in parts of the DRC, especially in the east of the country, continues to pose a serious threat to political stability in the Great Lakes region. Relations between DRC and Burundi are warm. Uganda is expected to upgrade its diplomatic presence to ambassadorial level soon, according to Congolese officials.

The presence of armed groups in parts of Congo is a major source of instability. The Special Representative of the Secretary General of the U.N. stated that, while there are many challenges facing Congo, conditions have improved in some parts of eastern Congo since the handover of two militia leaders to the International Criminal Court (ICC) for trial. In October 2007, the DRC government transferred former Ituri militia leader Germain Katanga to the ICC in the Hague. In February 2008, Congolese authorities arrested and later transferred to ICC custody Mathieu Ngudjolo Chui, former chief of staff of the Front for National Integration (FNI). In March 2006, Thomas Lubanga Dyilo, the leader of the Union of the Congolese Patriots (UPC), was handed over to the ICC. In July 2008, U.N. Secretary General Ban Ki-Moon stated that “the creation of a professional, capable and accountable FARDC remains a critically important goal for establishing security, stability and legitimate State authority in the eastern DRC.”⁹

The presence of the Lord’s Resistance Army militia, a Ugandan rebel force, in the Garamba National Park in eastern Congo has been a source of tension between Uganda and DRC over the past several years. In September 2007, Uganda and DRC signed an agreement in Arusha, Tanzania, to cooperate on a wide range of issues, including removing the LRA from eastern Congo. In October 2007, the third-highest-ranking LRA official, Opio Makasi, surrendered to MONUC and was later transferred to Congolese authorities. In November 2007, Congolese and MONUC officials handed over Makasi to Ugandan authorities. Ugandan authorities reportedly

8 Ted Dagne met with a number of Congolese officials and election observers in DRC in 2006.

9 Secretary General report to the Security Council, July 2008. S2008/433.

provided amnesty to Makasi. President Kabilas has stated on a number of occasions that his government will force the LRA out of DRC.¹⁰

In March 2007, the Congolese army and Bemba's militia clashed in Kinshasa, forcing Bemba to flee to the South African embassy. In April, Bemba was allowed to leave for Portugal with his family. Bemba's departure may have resolved the crisis in the short term, although his supporters and militia could become a source of instability. Bemba demanded that he be allowed to return to Congo in order to participate in the political process where his party controls 20 percent of the seats in the National Assembly. Bemba saw his forced exile as a sign that Congo might be returning to a one-man rule.¹¹ In May 2008, Bemba was arrested in Belgium for alleged war crimes committed by his group in the Central African Republic and was handed over to the ICC.

U.S. Assistance to DRC

One of the major objectives of the U.S. Agency for International Development (USAID) program in the DRC is to support the country's transition to democracy and to strengthen its healthcare and education systems. Special attention is being paid to the HIV/AIDS epidemic, with \$4 million of funding designated to AIDS treatment and prevention programs. In FY2007, Economic Support Funds (ESF) were targeted on strengthening the judiciary, the National Assembly, and other political institutions. International Military Education and Training (IMET) funds are intended to focus on training Congolese officers on military justice, human rights and joint operations. The United States also provides significant humanitarian assistance to DRC. In FY2007, the United States provided \$114.3 million, and \$205.1 million in FY2008. The DRC is expected to receive an estimated \$199.7 for FY2009. The Obama Administration has requested \$177 million for FY2010. In addition, the United States provided \$9.1 million in Section 1207¹² assistance in support of peace efforts and local governments in eastern Congo. In FY2009 to date, the United States provided \$120.4 in humanitarian assistance to DRC.¹³

Human Rights Conditions

Human rights abuses continued to plague the DRC despite movement toward democratic rule and an end to the civil war. Government security forces and armed rebel groups committed serious abuses against civilians. Security forces were responsible for the arbitrary arrest, abduction, and torture of civilians despite the country's law prohibiting torture, according to human rights groups and the State Department's *Country Reports on Human Rights Practices*. According to the State Department's 2008 report, "In all areas of the country the government's human rights record remained poor, and security forces continued to act with impunity throughout the year, committing many serious abuses including unlawful killings, disappearances, torture, and rape. Security forces also engaged in arbitrary arrests and detention. Harsh and life-threatening conditions in prison and detention facilities, prolonged pretrial detention, lack of an independent

10 Ted Dagne interview with President Kabilas in 2006 and 2007 in Washington and DRC.

11 Ted Dagne interview of Bemba, August and October 2007.

12 For more information about Section 1207 programs, see CRS report by Nina Serafino, "Department of Defense Section 1207: Security and Stabilization Assistance: A Fact Sheet," May 7, 2008.

13 <http://www.usaid.gov>

and effective judiciary, and arbitrary interference with privacy, family, and home also remained serious problems. Security forces retained child soldiers and compelled forced labor by civilians. Members of the security forces also continued to abuse and threaten journalists, contributing to a decline in freedom of the press.”¹⁴

There were no confirmed reports that abductions were politically motivated, although some of the abductees were journalists. Government security forces also raped civilians, according to the same report. On a positive note, professionalism among police forces appears to be increasing; government security forces, however, remained corrupt and ineffective. Prison conditions remained inadequate due to overcrowding and lack of funds. The judicial system remained ineffective and highly corrupt, and civil courts are rarely used by the public. According to the State Department’s annual report, the government restricted freedom of speech, although Congolese law provides these rights. Security forces were responsible for arresting, detaining, and harassing individuals for criticizing the president and the transitional government. On a number of occasions, radio and television stations were temporarily closed for violating a media code of conduct.

As the internal conflict in the East continued, according to reports, security forces and rebel groups killed, abducted, tortured, and raped civilians in addition to burning or destroying their homes and villages. Mass rape and sexual violence were used as weapons of war, and FARDC soldiers committed sexual violence against young girls, especially in eastern Congo. Gang rapes also occurred and were frequently committed in front of the victims’ families. The trafficking of women and children also remained common in the East. Humanitarian aid workers and NGOs reported being threatened and harassed by armed groups, especially in eastern DRC. The transitional government did not provide adequate protection or assistance to Internally Displaced Persons (IDPs), and armed groups restricted humanitarian access to IDPs, preventing the delivery of supplies, according to the State Department’s human rights report.

In Katanga province, Mai Mai militia groups continued to abuse civilians. On May 12, 2006, a Mai Mai militia leader, Kyungu Mutanga Gedeon, surrendered to MONUC forces, with 150 rebel fighters. The Kabil government reportedly offered to integrate Mutanga’s forces into the regular armed forces. Gedeon and his forces are accused of serious atrocities against civilians. According to the State Department’s annual report, “militias in the Ituri District of Orientale Province, notably the Front for National Integration (FNI), the Congolese Revolutionary Movement (MRC), and the Front for Patriotic Resistance in Ituri (FPRI) continued to commit abuses against civilians, including killings, abductions, rapes, and child soldier recruitment.”¹⁵

Economic Conditions

Large sums have been invested in the DRC’s transition process by both bilateral and multilateral donors. The World Bank has, as of October 2008, 14 active projects in DRC, totaling \$2.2 billion. The International Monetary Fund (IMF) is requiring the DRC to implement reforms in macroeconomic stability before it will begin negotiations for a poverty reduction and growth facility program. A tight fiscal policy will be necessary for the DRC to improve economic conditions. The DRC’s fiscal policy is primarily concerned with increasing domestic revenue and

14 <http://www.state.gov/g/drl/rls/hrppt/>

15 <http://www.state.gov/g/drl/rls/hrppt/>

shifting state expenditures toward infrastructure and the social sectors. The Central Bank of the DRC appears committed to maintaining price stability and tight control of the country's money supply, according to the most recent Economist Intelligence Unit (EIU) report. Real GDP growth is expected at 6% in 2008-2009, according to the EIU.

Although agriculture is the dominant sector of the economy (accounting for approximately half of GDP and employing 75% of the labor force), development and productivity rates are nearly impossible to gauge due to a lack of reliable statistics. The mining sector is likely to be the country's primary vehicle for growth as foreign direct investment increases. Mining output should also increase the DRC's export earnings and should compensate for falling commodity prices in the international market. Financing the country's external debt was projected to cost nearly \$600 million in 2007, which underscores the need for debt relief under the IMF-World Bank's HIPC (heavily indebted poor countries) initiative and the multilateral debt relief initiative. The Kabila government's budget expenditure plans are very cautious and somewhat vague, a fact government officials attribute to the need for pragmatism to address DRC's large external debt. In recent years, China has expanded its trade and economic activities with DRC. In 2008, China signed a major mining and construction agreement with the DRC government. The mining agreement is a source of contention in Congo.

Regional Issues: Background and Recent Agreements

The 2002 Pretoria Agreement between Rwanda and DRC led to significant improvement in border security in the Great Lakes region. The agreement called for a cessation of hostilities, an inter-Congolese dialogue, withdrawal of foreign forces, and disarmament of the "negative forces". The parties have implemented all of these agreements and a number of the armed groups have been demobilized. On September 22, 2004, the governments of DRC and Rwanda signed the terms of reference for a Joint Verification Mechanism (JVM), an agreement designed to address cross-border issues, specifically to deal with the threats of the Interhamwe and ex-FAR (former Rwandese Armed Forces), groups responsible for the 1994 genocide in Rwanda.

The Mechanism consists of a Joint Verification Team of experts from the parties, representatives from MONUC and the African Union. In October 2004, the group had its first meeting, and in late November the parties adopted operational procedures for the Joint Verification Teams. In addition, the United States has been facilitating Tripartite Plus talks among the key regional players: DRC, Rwanda, Uganda, and Burundi. The parties agreed that the most serious threat to regional stability is the presence of the negative forces in DRC. In order to deal with this threat, the parties established a Tripartite Joint Commission and agreed to disarm, demobilize, and repatriate foreign armed groups.

The governments of Rwanda and DRC cooperate on a wide range of issues, including on security matters. Rwanda helped facilitate dialogue between the Kabila government and some political groups in DRC on issues related to the 2006 elections. Moreover, Rwanda agreed to help find a political solution with General Nkunda, as requested by President Kabila. But the process did not go far because the Kabila government launched a campaign against General Nkunda. Kagame stated in August 2007 that he remains very concerned about the activities of the remnants of the

Interhamwe and FDLR forces. He asserted that these forces are currently reorganizing in eastern Congo.¹⁶

In November 2007, the governments of the DRC and Rwanda signed an agreement in Kenya “on a common approach to end the threat posed to peace and stability” in the Great Lakes region. The parties agreed to end political and material support to armed groups in the region. The government of the DRC agreed to disarm the ex-FAR and Interhamwe militia and to hand over those individuals wanted by the government of Rwanda and International Criminal Tribunal for Rwanda (ICTR). According to the agreement, those who do not wish to return to Rwanda will be placed in a camp away from the border until a solution is found. In January 2007, several dozen rebel groups and the DRC government signed the Goma Accord, primarily focused on ending the violence in Eastern Congo. Since the signing of the agreement, while progress has been made, there have been a number of reports of ceasefire violations and sexual violence against civilians.

Figure 1. Congo



Source: CRS

16 Ted Dagne's interview with President Kagame, August 2007.

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